

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

ASHLEY DESHAWN CASS

PLAINTIFF

V.

CIVIL ACTION NO. 2:15-cv-2255-MEF

CAROLYN W. COLVIN, Commissioner,
Social Security Administration

DEFENDANT

FINAL JUDGMENT

This cause is before the Court on the Plaintiff's complaint for judicial review of an unfavorable final decision of the Commissioner of the Social Security Administration denying his claim for disability benefits. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c). The Court, having reviewed the administrative record, the briefs of the parties, the applicable law, and having heard oral argument, finds as follows, to-wit:

Consistent with the Court's ruling from the bench following the parties' oral argument, the decision of the Commissioner of Social Security is reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the ALJ is directed to at least attempt to obtain the treatment records from Dr. Ralph Richter that were unavailable, due to the classified nature of the ongoing drug study, during the relevant time period. In addition, the ALJ is ordered to obtain any and all records from Plaintiff's treating physicians dated after the ALJ's decision.

Further, because the record does not contain the assessment of a specialist, on remand, the ALJ must order a consultative neurological examination, complete with an RFC assessment, to

develop the record regarding the Plaintiff's work-related limitations. This information should then be used to formulate appropriate hypothetical questions to the vocational expert to ascertain whether Plaintiff can perform her past relevant work and, if not, whether she can perform work that exists in significant numbers in the national economy.

IT IS SO ORDERED AND ADJUDGED on this the 1st day of December, 2016.

/s/ Mark E. Ford
HON. MARK E. FORD
UNITED STATES MAGISTRATE JUDGE